

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MEARS TECHNOLOGIES, INC.

Plaintiff,

v.

VERIZON SERVICES CORP.,

Defendant.

Civil No.

JURY TRIAL DEMANDED

COMPLAINT

The plaintiff, MEARS Technologies, Inc. (“MEARS”), alleges in the afore-captioned matter as follows:

THE PARTIES

1. MEARS is a corporation with a principal place of business at 189 Wells Avenue, 3rd Floor, Newton, Massachusetts 02459.
2. Defendant, Verizon Services Corp. (“Verizon”), is a Delaware corporation with its principal place of business at 22001 Loudon County Parkway, Ashburn, Virginia 20147.

NATURE OF THE ACTION

3. This is a civil action for patent infringement.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States (35 U.S.C. § 1, et seq.). This court has subject matter jurisdiction pursuant to 28 U.S.C. § 1338.
5. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§ 1391 & 1400.

THE PATENTS IN SUIT AND THE ACCUSED PRODUCTS

6. MEARS is the owner by assignment of U.S. Patent No. 6,141,361 (“the ‘361 Patent”) (Ex. A).

7. Neither MEARS nor any predecessor in interest in the ownership of the '361 patent has manufactured or sold a product practicing the claims of the '361 patent.
8. Verizon has deployed in its telecommunications networks liquid crystal on silicon ("LCoS") based reconfigurable add-drop multiplexers ("ROADMs") manufactured by Ciena, Fujitsu, and Tellabs ("the Accused Products").

COUNT I – PATENT INFRINGEMENT

9. MEARS repeats and incorporates by reference the allegations set forth in paragraphs 1 to 8 above.
10. The Accused Products infringe the '361 patents.
11. MEARS has been injured by Verizon's infringement.

WHEREFORE, MEARS respectfully requests:

- a) entry of judgment against Verizon on MEARS' claim for patent infringement;
- b) damages sufficient to compensate MEARS for Verizon's patent infringement; and
- c) all other relief the Court deems just and proper.

Respectfully submitted,

Date: October 8, 2014

/s/ George C. Summerfield

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*Attorneys for Plaintiff
MEARS Technologies, Inc.*

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), plaintiff, MEARS Technologies, Inc., demands a jury trial of all issues properly triable to a jury in this case.

Respectfully submitted,

Date: October 8, 2014

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